

111TH CONGRESS  
2D SESSION

# H. R. 5610

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IN THE SENATE OF THE UNITED STATES

JULY 12, 2010

Received; read twice and referred to the Committee on Health, Education,  
Labor, and Pensions

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## AN ACT

To provide a technical adjustment with respect to funding  
for independent living centers under the Rehabilitation  
Act of 1973 in order to ensure stability for such centers.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Independent Living  
3 Centers Technical Adjustment Act”.

4 **SEC. 2. INDEPENDENT LIVING CENTERS TECHNICAL AD-**  
5 **JUSTMENT.**

6       (a) GRANTS TO CENTERS FOR INDEPENDENT LIVING  
7 IN STATES IN WHICH FEDERAL FUNDING EXCEEDS  
8 STATE FUNDING.—

9           (1) IN GENERAL.—If the conditions described  
10 in paragraph (2) are satisfied with respect to a  
11 State, in awarding funds to existing centers for inde-  
12 pendent living (described in section 722(c) of the  
13 Rehabilitation Act of 1973 (29 U.S.C. 796f–1(c)))  
14 in the State, the Commissioner of the Rehabilitation  
15 Services Administration—

16           (A) in fiscal year 2010—

17           (i) shall distribute among such centers  
18 funds appropriated for the centers for  
19 independent living program under part C  
20 of title VII of the Rehabilitation Act of  
21 1973 (29 U.S.C. 796f et seq.) by any Act  
22 other than the American Recovery and Re-  
23 investment Act of 2009 (Public Law 111–  
24 5) in the same proportion as such funds  
25 were distributed among such centers in the  
26 State in fiscal year 2009, notwithstanding

1 section 722(e) of the Rehabilitation Act of  
2 1973 (29 U.S.C. 796f–1(e)) and any con-  
3 trary provision of a State plan submitted  
4 under section 704 of such Act (29 U.S.C.  
5 796c); and

6 (ii) shall disregard any funds provided  
7 to such centers from funds appropriated by  
8 the American Recovery and Reinvestment  
9 Act of 2009 for the centers for inde-  
10 pendent living program under part C of  
11 title VII of the Rehabilitation Act of 1973  
12 (29 U.S.C. 796f et seq.); and

13 (B) in fiscal year 2011 and subsequent fis-  
14 cal years, shall disregard any funds provided to  
15 such centers from funds appropriated by the  
16 American Recovery and Reinvestment Act of  
17 2009 (Public Law 111–5) for the centers for  
18 independent living program under part C of  
19 title VII of the Rehabilitation Act of 1973 (29  
20 U.S.C. 796f et seq.).

21 (2) CONDITIONS.—The conditions described in  
22 this paragraph are the following:

23 (A) The Commissioner receives a request  
24 from the State, not later than July 30, 2010,  
25 jointly signed by the State’s designated State

1 unit (referred to in section 704(c) of such Act  
2 (29 U.S.C. 796c(c))) and the State's Statewide  
3 Independent Living Council (established under  
4 section 705 of such Act (29 U.S.C. 796d)), for  
5 the Commissioner to disregard any funds pro-  
6 vided to centers for independent living in the  
7 State from funds appropriated by the American  
8 Recovery and Reinvestment Act of 2009 for the  
9 centers for independent living program under  
10 part C of title VII of the Rehabilitation Act of  
11 1973 (29 U.S.C. 796f et seq.).

12 (B) The Commissioner is not conducting a  
13 competition to establish a new part C center for  
14 independent living with funds appropriated by  
15 the American Recovery and Reinvestment Act  
16 of 2009 in the State.

17 (b) GRANTS TO CENTERS FOR INDEPENDENT LIVING  
18 IN STATES IN WHICH STATE FUNDING EQUALS OR EX-  
19 CEEDS FEDERAL FUNDING.—In awarding funds to exist-  
20 ing centers for independent living (described in section  
21 723(c) of the Rehabilitation Act of 1973 (29 U.S.C. 796f–  
22 2(c))) in a State, the director of the designated State unit  
23 that has approval to make such awards—

24 (1) in fiscal year 2010—

1           (A) may distribute among such centers  
2 funds appropriated for the centers for inde-  
3 pendent living program under part C of title  
4 VII of the Rehabilitation Act of 1973 (29  
5 U.S.C. 796f et seq.) by any Act other than the  
6 American Recovery and Reinvestment Act of  
7 2009 in the same proportion as such funds  
8 were distributed among such centers in the  
9 State in fiscal year 2009, notwithstanding sec-  
10 tion 723(e) of the Rehabilitation Act of 1973  
11 (29 U.S.C. 796f–2(e)) and any contrary provi-  
12 sion of a State plan submitted under section  
13 704 of such Act (29 U.S.C. 796e); and

14           (B) may disregard any funds provided to  
15 such centers from funds appropriated by the  
16 American Recovery and Reinvestment Act of  
17 2009 for the centers for independent living pro-  
18 gram under part C of title VII of the Rehabili-  
19 tation Act of 1973 (29 U.S.C. 796f et seq.);  
20 and

21           (2) in fiscal year 2011 and subsequent fiscal  
22 years, may disregard any funds provided to such  
23 centers from funds appropriated by the American  
24 Recovery and Reinvestment Act of 2009 for the cen-  
25 ters for independent living program under part C of

- 1 title VII of the Rehabilitation Act of 1973 (29
- 2 U.S.C. 796f et seq.).

Passed the House of Representatives June 30, 2010.

Attest: LORRAINE C. MILLER,  
*Clerk.*